

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mark Anthony Howard

Confirmation No.: 3390

Serial No.: 10/735,962

Examiner: Susan F. Rayyan

Filed: December 15, 2003

Group Art Unit: 2167

For: MULTI-TIERED STRUCTURE FOR FILE SHARING BASED ON  
SOCIAL ROLES

Date: April 8, 2008

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed January 9, 2008, finally rejecting claims 1-20. The item(s) checked below are appropriate:

**1. STATUS OF APPLICANT**

This application is on behalf of

☒ other than a small entity  
☐ small entity. Verified statement ☐ attached ☐ already filed on \_\_\_\_\_.

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 CFR 1.17(e) the fee for filing the Notice of Appeal is:

☐ small entity \$ \_\_\_\_\_  
☒ other than a small entity \$510

**Notice of Appeal fee due \$ 510**

### 3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 CFR 1.191 are subject to the provision of #1.136 for patent applications 37 CFR 1.191(d). But see 37 CFR 1.645 for extension of time in interference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings).

**(complete (a) or (b) as applicable)**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a) ☐ Applicant petitions for an extension of time under 37 CFR 1.17 (a)-(d) for the total number of months checked below:

Extension Fee:

	<u>Months</u>	<u>Small Entity</u>	<u>Other Than Small Entity</u>
<input type="checkbox"/>	one month	\$ 60.00	\$ 120.00
<input type="checkbox"/>	two months	\$235.00	\$ 460.00
<input type="checkbox"/>	three months	\$525.00	\$ 1050.00
<input type="checkbox"/>	four months	\$820.00	\$1,640.00
<input type="checkbox"/>	five months	\$1115.00	\$2,230.00

**If an additional extension of time is required, please consider this a petition therefor.**

(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

**Extension fee due with this request      \$ \_\_\_\_\_**  
**or**

- (b) ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### 4. TOTAL FEE DUE

The total fee due is :

Notice of Appeal fee      \$ 510  
Extension fee (if any)      \$

**TOTAL FEE DUE      \$ 510**

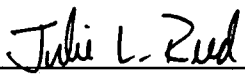
**5. FEE PAYMENT**

- ☒ Payment is made electronically by Deposit Account.
- ☒ Any deficiency or overpayment for extensions of time or claims should be charged or credited to deposit account number 24-0037.

Respectfully submitted,

**Customer No. 65650**

MARGER JOHNSON & McCOLLOM, P.C.

  
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